

COUNTY OF SUFFOLK



EDWARD P. ROMAINÉ
SUFFOLK COUNTY EXECUTIVE

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DEPARTMENT OF LAW

February 21, 2024

Hon. Margo K. Brodie, Chief U.S.D.J.
Hon. Peggy Kuo, U.S.M.J.
United States District Court
Eastern District of New York
225 Cadman Plaza
Brooklyn, New York 11201-1818

Re: Newkirk v. County of Suffolk, et al.
Docket No. 17-cv-2960 (MKB)(PK)

Dear Chief District Judge Brodie and Magistrate Judge Kuo:

As the Court is aware, the Suffolk County Attorney's Office represents Defendant Police Officer Mark Pav in the above-referenced matter. Plaintiff is represented by attorneys Michael Brown, Christopher Bianco and Brian Egan. The parties are in receipt of the Court's Order dated January 23, 2024 which, *inter alia*, directed the parties to file a status report regarding the progress of their settlement efforts on or before February 22, 2024. We are pleased to report to the Court that the parties have reached a settlement in principle. Given the terms of the settlement, approval is required by the Ways and Means Committee of the Suffolk County Legislature. We anticipate submitting this case for legislative approval on February 29, 2024. Once the legislature has approved the settlement the parties will submit an application and order for Court approval pursuant to Section 6-n of the General Municipal Law of the State of New York.

Based on this, the parties respectfully request the following relief:

1. That the settlement conference scheduled before Judge Kuo for March 13, 2024 be adjourned *sine die* along with the March 4, 2024 deadline for the parties to submit confidential *ex parte* settlement position statements;
2. That the March 25, 2024 deadline set by Judge Brodie for motions in limine be adjourned *sine die*;
3. That the trial scheduled for September 23, 2024 be adjourned *sine die*.

Further, the parties jointly respectfully request sixty (60) days to submit a further status report on the status of the settlement process or to file a stipulation of discontinuance in this matter.

We thank the Court for its consideration of this request.

Respectfully submitted,

Christopher J. Clayton
County Attorney

By: /s/ Stacy A. Skorupa
Stacy A. Skorupa
Assistant County Attorney

CC: Counsel for all parties (via ECF)